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UNITED STATES DISTRICT COURT DISTRICT OF NEW JERSEY

BRIAN T. PENNINGTON,)
Plaintiff,)))
v. NEW ENGLAND COMPOUNDING)) CIVIL ACTION NO: 1:12-cv-07179) (RMB)(JS)
PHARMACY, INC. d/b/a)
NEW ENGLAND COMPOUNDING)
CENTER, et al.)
)
Defendants.)

AMERIDOSE, LLC'S, ANSWER TO THE CROSS CLAIM ASSERTED BY DEFENDANTS VANNETTE PERKINS, M.D. AND PROFESSIONAL PAIN MANAGEMENT ASSOCIATES

Defendant Ameridose, LLC, by and though counsel, and for its Answer to the Crossclaim asserted by Defendants, Vannette Perkins, M.D., and Professional Pain Management Associates (collectively, the "Pain Management Defendants"), states as follows:

Answer to Crossclaim for Contribution or Settlement Credit.

Ameridose, LLC, incorporates by reference its Answer to Plaintiff's Amended Complaint and all Defenses and Affirmative Defenses, filed on January 3, 2013. Further answering, Ameridose, LLC, denies each and every allegation set forth in the Pain Management Defendants' Crossclaim for Contribution or Settlement Credit, and specifically denies that it has any liability

to the Pain Management Defendants under the Joint Tortfeasors Act of the State of New Jersey or the Comparative Negligence Act of the State of New Jersey.

Answer to Crossclaim for Indemnification.

- 1. Ameridose, LLC, admits the allegations in Paragraph 1 of the Crossclaim for Indemnification.
- 2. Ameridose, LLC, denies it is liable to Plaintiff for injuries alleged in his Complaint and further denies the allegations in Paragraph 2 of the Crossclaim for Indemnification.
 - 3. Ameridose, LLC, denies the allegations in Paragraph 3 of the Crossclaim.
 - 4. Ameridose, LLC, denies the allegations in Paragraph 4 of the Crossclaim.

SEPARATE DEFENSE

The Pain Management Defendants have failed to state a claim for relief.

WHEREFORE, having fully answered the Crossclaim, Defendant Ameridose, LLC, demands Judgment of this Court:

- A. Dismissing the Crossclaim against it, with prejudice;
- B. Awarding Ameridose, LLC the costs, expenses, and fees associated with defending this Crossclaim; and
- C. Granting such other and further relief, both legal and equitable, that the Court deems just and proper.

Respectfully submitted,

s/ Walter F. Timpone

Walter F. Timpone Walter R. Krzastek

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CERTIFICATE OF SERVICE

This is to certify that a copy of the foregoing has been filed with the Clerk of the Court on January 10, 2013 using the ECF system that sent notification of this filing to all ECF-registered counsel of record via e-mail generated by the Court's ECF system.

s/ Walter F. Timpone

Attorney for Defendant Ameridose, LLC